

IDAHO BOARD OF CHIROPRACTIC PHYSICIANS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 3/26/2021

BOARD MEMBERS PRESENT: Herbert W Oliver, D.C. - Chair
Cathy Hart
Lynn A Hansen, D.C.
Shannon Gaertner-Ewing, D.C.
Craig J Manning, D.C.

DIVISION STAFF: Dawn Hall, Section Chief
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Cesley Metcalfe, Team Lead
Allegra Earl, Board Specialist

OTHERS PRESENT: Caroline Merritt, Idaho Association of Chiropractic Physicians

The meeting was called to order at 9:00 AM MDT by Herbert W Oliver, D.C.

AMENDED AGENDA

Dr. Gaertner-Ewing made a motion to adopt the amended agenda. It was seconded by Ms. Hart. The vote was: Dr. Oliver, aye; Ms. Hart, aye; Dr. Hansen, nay; Dr. Gaertner-Ewing, aye; and Dr. Manning, nay. Motion carried.

APPROVAL OF MINUTES

Dr. Manning made a motion to approve the minutes of January 8, 2021. It was seconded by Dr. Hansen. Motion carried.

[COMPLAINT MEMORANDUM](#)

Ms. Peel gave the investigative report, which is linked above.

DISCIPLINE

Dr. Manning made a motion to close case number I-CHI-2019-9. It was seconded by Dr. Hansen. Motion carried.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$31,328.94) as of February 28, 2021.

The Board discussed remuneration for conference call meetings. Ms. Hall informed the Board that members receive compensation for meetings three hours and longer.

LAWS AND RULES

Ms. Hall presented a legislative update. Ms. Hall stated that Mr. McQuade is no longer with the Division, and that Mr. Tim Frost has begun tracking legislation in the current legislative session. Ms. Hall also informed the Board that the Legislature called a two-week recess and will reconvene on April 6, 2021.

The Board discussed multiple bills going through the legislature regarding closed head injuries that if passed as written, will require chiropractors to obtain additional continuing education.

Dr. Gaertner-Ewing informed the Board that S 1331 passed and was signed by the Governor. The bill amends chiropractic prescriptive definitions and takes effect July 1, 2021.

CORRESPONDENCE

The Board reviewed correspondence from Si Pham seeking clarification on chiropractic prescriptive authority. Dr. Gaertner-Ewing made a motion for Dr. Hansen to work with Mr. Krema on a letter to be sent to all Idaho pharmacies clarifying chiropractic prescriptive authority. The letter will be submitted to the Board chair for approval before being sent to pharmacies. It was seconded by Ms. Hart. Motion carried.

DIVISION BUSINESS

The Board reviewed the To Do List.

The Board discussed putting together a training program for pro reviewers. Dr. Oliver and Dr. Gaertner-Ewing will form a subcommittee to determine the materials and format for training.

Dr. Gaertner-Ewing informed the Board that due to a scheduling conflict she will be unable to make the laws and rules presentation at the Idaho Association of Chiropractic Physicians (IACP). Dr. Oliver has agreed to make the presentation while Dr. Gaertner-Ewing attends the Federation of Chiropractic Licensing Boards (FCLB) meeting.

BOARD BUSINESS

Dr. Hanson made a motion to approve 901181685 for licensure. It was seconded by Dr. Manning. Motion failed for lack of a vote.

EXECUTIVE SESSION

Dr. Gaertner-Ewing made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Hart. The vote was: Dr. Oliver, aye; Ms. Hart, aye; Dr. Hanson, aye; Dr. Gaertner-Ewing, aye; and Dr. Manning, aye. Motion carried.

Dr. Manning made a motion to come out of executive session. It was seconded by Dr. Gaertner-Ewing. Motion carried.

APPLICATIONS

Dr. Gaertner-Ewing made a motion to approve the following for licensure:

DCA-2095 Stephen Offenburger
DCA-2101 George Postlethwaite

It was seconded by Ms. Hart. Motion carried.

Dr. Gaertner-Ewing made a motion to approve the following pending receipt of additional information and review by a Board member:

901181685

It was seconded by Dr. Manning. Motion carried.

NEXT MEETING was scheduled for June 25, 2021 at 8:00 AM MDT.

ADJOURNMENT

Dr. Manning made a motion to adjourn the meeting at 10:40 AM MDT. It was seconded by Dr. Hansen. Motion carried.

Herbert W Oliver, D.C., Chair